

Aug 4, 2022

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S.D. OF FLA. - MIAMI

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
22-20347-CR-GAYLES/TORRES

Case No. _____

18 U.S.C. § 545

18 U.S.C. § 1001(a)(2)

18 U.S.C. § 982(a)(2)(B)

UNITED STATES OF AMERICA

vs.

**LUIS VILLANUEVA PERDOMO and
ANDRES CALERO CASTRO,**

Defendants.

INDICTMENT

The Grand Jury charges that:

COUNT 1
Smuggling
(18 U.S.C. § 545)

On or about July 12, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

LUIS VILLANUEVA PERDOMO,

did knowingly and willfully, with the intent to defraud the United States, attempt to smuggle and clandestinely introduce into the United States merchandise which should have been invoiced, that is, a gold necklace and a gold bracelet, in violation of Title 18, United States Code, Section 545.

COUNT 2
Smuggling
(18 U.S.C. § 545)

On or about July 12, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

ANDRES CALERO CASTRO,

did knowingly and willfully, with the intent to defraud the United States, attempt to smuggle and clandestinely introduce into the United States merchandise which should have been invoiced, that is, a gold necklace and a gold bracelet, in violation of Title 18, United States Code, Section 545.

COUNT 3
False Statement
(18 U.S.C. § 1001(a)(2))

On or about July 12, 2022, in Miami-Dade County, in the Southern District of Florida, in a matter within the jurisdiction of the Department of Homeland Security, United States Customs and Border Protection, an agency of the executive branch of the United States Government, the defendant,

LUIS VILLANUEVA PERDOMO,

did knowingly and willfully make a false, fictitious, and fraudulent statement and representation as to a material fact, in that the defendant represented on the United States Customs and Border Protection Form 6059B that he was not transporting commercial merchandise, when in truth, and in fact, and as the defendant then and there well knew, he was transporting commercial merchandise, that is, a gold necklace and a gold bracelet, in violation of Title 18, United States Code, Section 1001(a)(2).

COUNT 4
False Statement
(18 U.S.C. § 1001(a)(2))

On or about July 12, 2022, in Miami-Dade County, in the Southern District of Florida, in a matter within the jurisdiction of the Department of Homeland Security, United States Customs and Border Protection, an agency of the executive branch of the United States Government, the defendant,

ANDRES CALERO CASTRO,

did knowingly and willfully make a false, fictitious, and fraudulent statement and representation as to a material fact, in that the defendants represented on the United States Customs and Border Protection Form 6059B that he was not transporting commercial merchandise, when in truth, and in fact, and as the defendant then and there well knew, he was transporting commercial merchandise, that is, a gold necklace and a gold bracelet, in violation of Title 18, United States Code, Section 1001(a)(2).

FORFEITURE ALLEGATIONS

1. The allegations of this Information are hereby re-alleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America of certain property in which the defendants, **LUIS VILLANUEVA PERDOMO** and **ANDRES CALERO CASTRO** have an interest.

2. Upon conviction of a violation of Title 18, United States Code, Section 545, as alleged in this Information, the defendant shall forfeit to the United States: (a) any property constituting, or derived from, proceeds obtained, directly or indirectly, as the result of such offense, pursuant to Title 18, United States Code, Section 982(a)(2)(B); and (b) any merchandise introduced into the United States as a result of such offense, pursuant to Title 18, United States Code, Section 545.

3. The property subject to forfeiture as a result of the alleged offense includes, but is not limited to, the following:

- a. A gold necklace and a gold bracelet seized from **LUIS VILLANUEVA** on July 12, 2022.

b. A gold necklace and a gold bracelet seized from **ANDRES CALERO CASTRO** on July 12, 2022.

All pursuant to Title 18, United States Code, Sections 982(a)(2)(B) and 545, and the procedures set forth at Title 21, United States Code, Section 853, as incorporated by Title 18, United States Code, Section 982(b)(1) and Title 28, United States Code, Section 2461(c).

A TRUE BILL

FOREPERSON




JUAN ANTONIO GONZALEZ
UNITED STATES ATTORNEY


STEPHEN J. DEMANOVICH
ASSISTANT UNITED STATES ATTORNEY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA

CASE NO. _____

v.

Luis Villanueva Perdomo and
Andres Calero Castro,

CERTIFICATE OF TRIAL ATTORNEY*

Superseding Case Information:

Defendants. _____/

Court Division: (Select One)

☒ Miami ☐ Key West ☐ FTL
☐ WPB ☐ FTPNew defendant(s) ☐ Yes ☐ No

Number of new defendants _____

Total number of counts _____

- I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
- I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.

3. Interpreter: (Yes or No) Yes
List language and/or dialect Spanish

4. This case will take 2 days for the parties to try.

5. Please check appropriate category and type of offense listed below:

(Check only one)

I 0 to 5 days ☒
II 6 to 10 days ☐
III 11 to 20 days ☐
IV 21 to 60 days ☐
V 61 days and over ☐

(Check only one)

Petty ☐
Minor ☐
Misdemeanor ☐
Felony ☒

6. Has this case previously been filed in this District Court? (Yes or No) No

If yes: Judge _____ Case No. _____

(Attach copy of dispositive order)

Has a complaint been filed in this matter? (Yes or No) Yes

If yes: Magistrate Case No. 22-MJ-03209-REID / 22-MJ-03210-REID

Related miscellaneous numbers: _____

Defendant(s) in federal custody as of _____

Defendant(s) in state custody as of _____

Rule 20 from the District of _____

Is this a potential death penalty case? (Yes or No) No

- Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to August 9, 2013 (Mag. Judge Alicia O. Valle)? (Yes or No) No
- Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard)? (Yes or No) No
- Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss)? (Yes or No) No


Stephen J. Demanovich

Assistant United States Attorney

FLA Bar No. 61120

**LULUUNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

PENALTY SHEET

Defendant's Name: Luis Villanueva Perdomo

Case No: _____

Count #: 1

Smuggling Goods into the United States

Title 18 United States Code, Section 545

*** Max. Term of Imprisonment: 20 years**

*** Mandatory Min. Term of Imprisonment (if applicable): none**

*** Max. Supervised Release: 3 years**

*** Max. Fine: \$250,000**

Count #: 3

False Statement to a Law Enforcement Officer

Title 18 United States Code, Section 1001(a)(2)

*** Max. Term of Imprisonment: 5 years**

*** Mandatory Min. Term of Imprisonment (if applicable): none**

*** Max. Supervised Release: 3 years**

*** Max. Fine: \$250,000**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: Andres Calero Castro

Case No: _____

Count #: 2

Smuggling Goods into the United States

Title 18 United States Code, Section 545

*** Max. Term of Imprisonment: 20 years**

*** Mandatory Min. Term of Imprisonment (if applicable): none**

*** Max. Supervised Release: 3 years**

*** Max. Fine: \$250,000**

Count #: 4

False Statement to a Law Enforcement Officer

Title 18 United States Code, Section 1001(a)(2)

*** Max. Term of Imprisonment: 5 years**

*** Mandatory Min. Term of Imprisonment (if applicable): none**

*** Max. Supervised Release: 3 years**

*** Max. Fine: \$250,000**

***Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.**